

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORTH WORTH DIVISION

CONSUMER FINANCIAL
PROTECTION BUREAU,

Plaintiff,

v.

FIRSTCASH, INC., *et al*,

Defendants.

Civil Action No. 4:21-cv-01251-P

**[PROPOSED] ORDER GRANTING FIRSTCASH, INC.’S
MOTION FOR JUDGMENT ON THE PLEADINGS**

Before the Court is defendants FirstCash, Inc. and its subsidiaries’ (collectively, “FirstCash”) Motion for Judgment on the Pleadings [Dkt. No. -] (“Motion”). FirstCash moves for judgment on the pleadings, requesting that the Court enter judgment in FirstCash’s favor on each count of the Amended Complaint [Dkt. No. 51]. After reviewing the briefing and applicable law, the Court finds that plaintiff Consumer Financial Protection Bureau (“CFPB”) receives its funding outside the Congressional appropriations process, in violation of the Appropriations Clause and underlying separation of powers principles that are embedded throughout the Constitution. *See Community Financial Services Association of America v. CFPB*, No. 21-50826, 2022 WL 11054082, at *17 (5th Cir. Oct. 19, 2022) (Wilson, J.). As a result, the CFPB’s funding structure is unconstitutional and any action undertaken by the CFPB employing that funding—including the filing and prosecution of the above-styled suit—is invalid. The Court therefore finds that FirstCash’s Motion should be and hereby is **GRANTED**.

It is therefore **ORDERED** that each of the claims set forth in the Amended Complaint [Dkt. No. 51] are **DISMISSED with prejudice**. The Court further directs that judgment shall enter in favor of FirstCash.

It is **SO ORDERED** on this ____ day of _____, 2022.

Hon. Mark T. Pittman
United State District Court Judge Presiding